IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1661 OF 2007

Smt.Bhagirathi Pandurang Dhanavade, by LRs. & Ors. ..Petitioners.
Vs.
Sou. Kashibai Bhanudas Kharade & Anr. ..Respondents.

Mr.S.G.Deshmukh for the Petitioners.
None for the Respondents.

CORAM : S.J. VAZIFDAR, J.
DATED : 10TH AUGUST, 2007

P.C. :

The impugned order warrants no interference. Firstly, the said order can always be challenged from the final decree. Secondly, a burden is also cast on the Plaintiffs to prove their relationship with the said Pandu, in view of Issue No.1 itself. The objection to the recast issue Nos.5A and 5B is not tenable as the Defendants have themselves averred the same in the written statement.

2. In the circumstances, the Writ Petition is dismissed.